

**Memorandum of Understanding (MOU)  
between the U.S. Department of Energy (DOE) and  
the State of Texas**

1. PURPOSE

The U.S. Department of Energy (DOE) and the State of Texas enter into this agreement to facilitate coordination and cooperation between the parties under subtitle D of the Energy Employees Occupational Illness Compensation Program Act of 2000 (Act) (Pub. L.106-398).

2. AGREEMENT AND UNDERSTANDING BETWEEN DOE AND THE STATE

DOE and the State of Texas enter into this agreement to facilitate operation of the DOE contractor worker assistance program, established pursuant to subtitle D of the Act, under which DOE may assist former or current contractor employees in filing claims under the State's workers' compensation system.

A. Pursuant to subtitle D, the DOE will provide assistance to DOE contractor employees in filing claims under the State of Texas's workers' compensation system for an illness caused by exposure to a toxic substance at a DOE facility in accordance with the process set forth at 10 CFR Part 852. Claims will be filed pursuant to the Texas Workers' Compensation Act, Tex. Lab. Code Ann. §§ 401 - 506.

B. A positive determination pursuant to Part 852 has no effect on the scope of State workers' compensation proceedings, the conditions for compensation, or the rights and obligations of the participants in the proceeding; provided that consistent with subtitle D such a determination will prevent DOE and may prevent a DOE contractor from contesting an applicant's workers' compensation claim.

3. AREAS OF COOPERATION

A. DOE agrees to promptly notify the Texas Workers' Compensation Commission's (TWCC) designated representative, Director of Customer Services, of workers' compensation claims that DOE has accepted as DOE work-related illnesses caused by exposure to toxic substances in response to a request for such information by the Commission.

B. Upon request by the DOE, the State agrees to provide, in a timely manner, information concerning the status or outcome of a workers' compensation claim filed with TWCC by a DOE contractor employee or the employee's

estate that has applied for assistance from the DOE contractor worker assistance program based on an illness or death that arose out of exposure to a toxic substance during the course of employment at a DOE facility.

4. IMPLEMENTATION

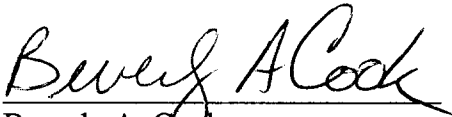
The DOE office responsible for implementation of this agreement is the Office of Environment, Safety and Health. The State official responsible for the implementation of this agreement is the Executive Director of the Texas Workers' Compensation Commission.

5. AMENDMENT AND TERMINATION

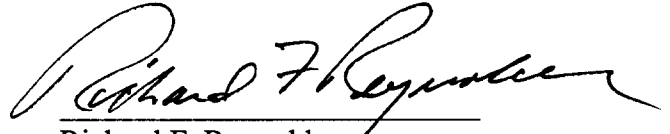
This Agreement may be amended or modified upon written agreement by both parties to the Agreement. The Agreement may be terminated upon ninety (90) days written notice by either party.

6. EFFECTIVE DATE

This Agreement is effective when signed by both parties.



Beverly A. Cook  
Assistant Secretary for  
Environment, Safety and Health  
U.S. Department of Energy



Richard F. Reynolds  
Executive Director, Texas Workers'  
Compensation Commission  
State of Texas

Dated: